Supreme Court, U.S.
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JOSEPH F. SPANIOL, JR.
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(4)

No. 86-2035

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1987

THE CHESAPEAKE AND OHIO RAILWAY COMPANY,
Petitioner,

vs.

GEORGE O. ALDRIDGE and
DAISY M. ALDRIDGE,
Respondents

RESPONDENTS' OBJECTION TO MOTION OF ASS'N OF AMERICAN RAILROADS AND NAT'L ASS'N OF RAILROAD TRIAL COUNSEL FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE

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Attorneys for Respondents

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George O. Aldridge and Daisy M. Aldridge, Respondents, respectfully object to the filing of a brief as

amicus curiae by the Association of American Railroads and the National Association of Railroad Trial Counsel. Respondents have withheld consent to the filing of the aforesaid brief because Respondents believe that the issues have been adequately presented by the parties in the petition and respondents' brief in opposition thereto. An examination of the proposed amicus curiae brief accompanying the motion readily reveals a lack of substance therein, and a complete failure of the proposed brief to provide any discussion of legal significance which might make a meaningful contribution to this Court's determination of the denial or grant of the petition for certiorari.

The proposed brief does attempt to

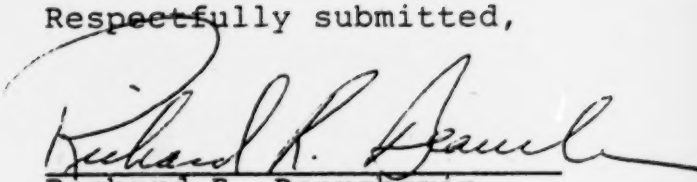
persuade this Court, as does the petition, that the issues and interests at stake in this case are much greater than they are in reality, in the hope that such considerations will favorably influence the decision to grant the petition for certiorari. Respondents believe that the fact that the various Federal Judicial Circuits have not chosen a single uniform approach to the discounting to present value of an award of future lost wages, does not conflict with the dictates of Jones & Laughlin Steel Corp. v. Pfeiffer, 462 U.S. 523 (1983), in which this Court declined to impose a single method of discounting upon unwilling litigants. The proposed amicus curiae brief is nothing more than a redundant recitation of petitioner's

arguments and legally unsupported claims that confusion and havoc reign among the circuits with regard to the issue of discounting to present value.

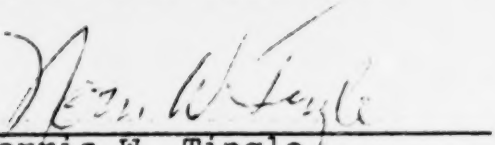
The proposed amicus curiae brief contributes nothing to the resolution of the issue presented in the petition for certiorari and respondents' brief, and on that basis respondents object to the filing of the proposed amicus curiae brief and respectfully request that this Court deny the motion, heretofore filed by the Association of American Railroads and National Association of Railroad Trial Counsel for leave to file a brief

as amicus curiae.

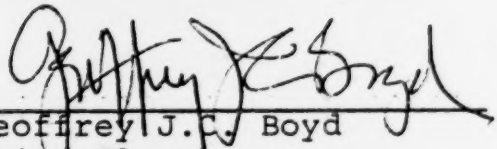
Respectfully submitted,



Richard R. Beauchemin



Norris W. Tingle



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Attorneys for Respondents

I HEREBY CERTIFY That on this 4th day of August, 1987, three (3) copies of Respondents' Objection to Motion of Ass'n of American Railroads and Nat'l Ass'n of Railroad Trial Counsel For Leave to File Brief as Amicus Curiae were mailed to Stephen A. Trimble, Esquire, Hamilton and Hamilton, 11th Floor, 734 - 15th Street, N.W., Washington, D.C. 20005, and H. Russell Smouse, Esquire, Melnicove, Kaufman, Weiner, Smouse & Garbis, P.A., 36 South Charles Street, 600 Charles Center South, Baltimore, Maryland 21201-3060.

Richard R. Beauchemin